

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DAVID JOHN FORD, et al.

Group Art Unit: 3629

Examiner: Gerardo Araque, Jr.

Serial No.: 10/064,962

Filed: September 4, 2002

For: AN ONLINE METHOD AND SYSTEM FOR ADVISING
CUSTOMERS ON SERVICE NEEDS, FACILITATING THE
SCHEDULING OF VEHICLE SERVICE APPOINTMENTS,
AND CHECKING VEHICLE SERVICE STATUS

Attorney Docket No.: FMC 1438 PUS

REPLY BRIEF UNDER 37 C.F.R. § 41.41

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Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
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Sir:

This Reply Brief is in response to the Examiner's Answer mailed on December 22, 2010 for the above-identified patent application.

Reply to Examiner's Response

The Examiner first states that Last, paragraph 35, demonstrates "alternate embodiments under which the invention can be carried out." Paragraph 35 of last clearly calls the embodiment described therein "advantageous" and further goes on to demonstrate exactly what the advantage is to providing only a subset of available times from multiple courses: "One advantage of this approach is it is much more convenient to a prospective golfer to be able to view a subset of

availability from several courses.” This is clearly an “embodiment of the invention” and thus, the invention is taught expressly to not display all available times, as is claimed.

Further, the Examiner maintains his position that the word “subset” refers to a subset of dates out of several weeks as opposed to a subset of all available times for a given date at one or more courses. Such a reading flies directly in the face of the language of Last, which explicitly states “the intent is not to display the entire tee...” [0035]. The phrase “the entire tee” refers to all available tee times for a given tee on a given day. Last unequivocally states that the express intent is not to show all these times. For further clarification, Last continues: “The intent is not to display the entire tee, but instead a subset of the available tee times... The system instead displays only a few tee times per course per day.” [0035]. Applying the teachings of Last to those of Wink would result in a system that at best only showed a customer a few available times.

Since the claims expressly call for display of all available times, and Last expressly teaches against application of such a system, the inclusion of Last in the rejection is improper, and the Examiner has failed to show how Last does not expressly teach against the claimed system.

Respectfully submitted,

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Date: February 22, 2011

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